

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALAN G. BREWER,

Petitioner,

v.

PAT GLEBE,

Respondent.

CASE NO. C10-5455BHS


ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 15). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The Report and Recommendation is **ADOPTED**;
- (2) The petition brought under 28 U.S.C. § 2254 is **DISMISSED with prejudice** as Petitioner's claims are unexhausted and procedurally barred and Petitioner has made no showing of cause and prejudice or actual innocence; and

1 (3) Petitioner's motion to stay (Dkt. 2) is **DENIED**.

2 DATED this 16th day of December, 2010.

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5 BENJAMIN H. SETTLE
6 United States District Judge
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